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EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

June 12, 1989

LEGISLATIVE REFERRAL MEMORANDUM

*7 pages*  
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TO: SEE ATTACHED DISTRIBUTION LIST

OCA 1887-89

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SUBJECT: General Services Administration draft bill --  
"Public Buildings Amendments of 1989."

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with Circular A-19.

Please provide us with your views no later than June 21, 1989.

Direct your questions to Gregory Jones (395-3454), of this office.

*James J. Jones*  
James J. Jones for  
Assistant Director for  
Legislative Reference

Enclosures

cc: Barbara Retzlaff  
Ron Cogswell

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STAT



**Administrator  
General Services Administration  
Washington, DC 20405**



The Honorable  
James C. Wright  
Speaker of the House  
of Representatives  
Washington, DC 20515

*For*

**DRAFT**

Dear Mr. Speaker:

There is transmitted herewith for referral to the appropriate committee a draft of legislation to amend the Public Buildings Act of 1959. This legislation would permit any executive agency, which is required by statute to have its principal office in the District of Columbia or at the seat of Government, to have its principal office located anywhere in the National Capital Region. This change would enable the General Services Administration (GSA) to seek the most economical housing alternatives for agencies and would result in efficiencies and cost savings for the Government. GSA strongly urges the prompt introduction, consideration, and enactment of this proposed legislation.

There can be no comprehensive location policy for the National Capital Region in the face of the current amalgam of individual statutes, which restricts GSA's ability to house executive agencies at locations fully suited to their missions and to take advantage of the opportunities presented by regionwide real estate procurements. These statutory requirements were enacted for historically valid reasons when the executive agencies were first established. More recently, however, the multifaceted development of the National Capital Region and its emergence as one of the Nation's primary economic markets has dispersed throughout the region organizations and activities which were previously concentrated in the District of Columbia. The well-integrated transportation and communications networks within the region has made this degree of dispersion possible. Consistent with current law and agency requirements, Federal activities are now distributed throughout the metropolitan area. However, GSA lacks the flexibility to consider the most suitable locations for all agencies on a regional basis.

Decisions regarding the location of executive agencies within the National Capital Region arise and are addressed in the context of meeting agency space requirements. When existing leases expire and must be replaced, when agencies seek consolidated facilities to improve the efficiency of their operations, or when new legislation is enacted which augments agency functions and personnel, GSA is confronted with making location decisions. Current location-specifying statutes present GSA with obstacles in providing optimal facilities for location-restricted agencies as the need arises. By restricting location, these statutes restrict competition and increase the costs of acquiring space.

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The draft bill would eliminate the location restrictions of current law and permit the principal offices of executive agencies to be located anywhere within the National Capital Region. It would also permit any organizational component of an agency's principal office to be separately located within the region, allowing the special requirements of that component to be independently addressed.

The draft bill also establishes three basic criteria for evaluating a proposed location decision affecting an executive agency. Due consideration would be given to agency mission, economic impact on communities within the National Capital Region, and the costs incurred by the Government in housing the agency. In addition, location decisions would be made through a process of consultation with the head of the affected executive agency as well as other appropriate Federal, State, and local officials. Consequently, decisions having potentially great impact on both executive agencies and the region would be shaped through discussion with those most concerned.

Finally, the draft bill ensures that the Congress will be fully informed of all pending major location decisions. Since such decisions are almost inevitably tied to prospectus-level procurements requiring authorization under section 7(a) of the Public Buildings Act of 1959, as amended, Congress will have the opportunity to consider GSA's proposals on agency location. Prospectuses submitted for projects in support of location decisions are required by the draft bill to include information on the personnel, operations, and facilities affected by such decisions.

The Office of Management and Budget has advised that there is no objection to the submission of this legislative proposal to the Congress.

Sincerely,

Richard G. Austin  
Acting Administrator

Enclosure

## **A BILL**

**To amend the Public Buildings Act of 1959 to permit executive agencies to have their principal offices located anywhere in the National Capital Region.**

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**Be it enacted by the Senate and the House of Representatives of the United States of America assembled,**

### **SECTION 1. SHORT TITLE.**

**This Act may be cited as the "Public Buildings Amendments of 1989".**

### **SEC. 2. FINDINGS.**

**The Congress finds that--**

**(1) the location of the seat of Government in the District of Columbia has brought about the development of the entire metropolitan area extending well into adjoining territory in the State of Maryland and the Commonwealth of Virginia, such area being defined in statute as the National Capital Region;**

**(2) the principal offices of the executive agencies of the United States should be located in the District of Columbia or elsewhere in the National Capital Region in accordance with the provisions of this Act;**

**(3) the distribution of Federal installations throughout the National Capital Region has been and will continue to be a major influence in determining the extent and character of development in the region; and**

**(4) the location of executive agencies should be based on agency requirements, community impact, and the prudent use of resources.**

### **SEC. 3. LOCATION OF PRINCIPAL OFFICES OF EXECUTIVE AGENCIES.**

**The Public Buildings Act of 1959 (40 U.S.C. 601 et seq.) is amended by adding at the end thereof the following new section:**

#### **"SEC. 22. LOCATION OF PRINCIPAL OFFICES OF EXECUTIVE AGENCIES.**

**"(a) Subject to the provisions of this section, any executive agency which is required by statute to have its principal office in the District of Columbia or which is required by statute to be established at the seat of Government may, notwithstanding such**

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statute or any other provision of law, have its principal office, or any organizational component thereof, located anywhere in the National Capital Region (as defined in section 1(b) of the Act of June 6, 1924 (40 U.S.C. 71(b))).

"(b) Prior to the location of a principal office, or any organizational component thereof, outside of the District of Columbia in accordance with subsection (a) of this section, the Administrator of General Services shall consult with the head of the affected executive agency. The Administrator shall ensure that--

"(1) consideration is given to agency mission, the economic impact on affected communities within the National Capital Region, and the cost to the United States of housing the agency and its functions; and

"(2) appropriate Federal, State, and local officials are also consulted.

"(c) Whenever a location decision made in accordance with this section requires the submission of a prospectus pursuant to section 7(a) of this Act, the prospectus shall contain a description of the personnel, operations, and facilities affected by such decision, as determined by the Administrator in consultation with the head of the affected executive agency.

"(d) This section shall be effective beginning on the 90th day after the date of enactment."

## **SECTION-BY-SECTION ANALYSIS**

### **SECTION 1. SHORT TITLE.**

Section 1 cites the short title of the Act as the "Public Buildings Amendments of 1989".

### **SECTION 2. FINDINGS.**

Section 2 presents the findings of the Congress that the location of the seat of Government in the District of Columbia has fostered development throughout the National Capital Region, that the principal offices of executive agencies should be located within the National Capital Region, that regional development is influenced by the distribution of Federal facilities, and that the location of executive agencies should be based on agency need, community impact, and resource availability.

### **SECTION 3. LOCATION OF PRINCIPAL OFFICES OF EXECUTIVE AGENCIES**

Section 3 amends the Public Buildings Act of 1959 by adding a new section 22 which would permit any executive agency, required by current law to have its principal office located in the District of Columbia or at the seat of Government, to have its principal office, or any part thereof, located anywhere within the National Capital Region.

Section 3 provides for prior consultation by the Administrator of General Services with the head of an executive agency affected by a location decision. The Administrator is directed to consider agency mission, economic impact on communities within the National Capital Region, and the cost to the Government of housing the agency. Appropriate officials at all levels of Government are also to be consulted.

Section 3 requires the inclusion of specific information germane to a location decision in a prospectus submitted pursuant to section 7(a) of the Public Buildings Act, if the location decision entails a prospectus-level project which must be authorized by the Congress.

The proposed legislation becomes effective 90 days after enactment.





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*NO*  
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